



Wiley Malehorn Sirota & Raynes
Attorneys at Law

FREDRIC J. SIROTA
ARTHUR L. RAYNES
JAMES M. MCCREEDY
EUGENE HUANG
KRISTIN V. HAYES

MERI J. VAN BLARCOM-GUPKO
(COUNSEL)

CAROLYN C. DUFF
ERICA M. CLIFFORD
KATHLEEN GALLAGHER
LAUREN M. DERASMO
SPENCER A. RICHARDS

250 Madison Avenue
Morristown, NJ 07960
T 973.539.1313
F 973.539.0572
www.wmsrlaw.com
araynes@wmsrlaw.com

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VIA ECF

The Honorable Susan D. Wigenton, U.S.D.J.
United States District Court—District of NJ
Martin Luther King Building
50 Walnut Street—Room 5C
Newark, New Jersey 07101

RE: Desai v. Actavis Pharma, Inc.
Case No.: 2:16-cv-03345-SDW-LDW

Dear Judge Wigenton:

In response to Defendant's letter sent yesterday evening, Plaintiff has not raised any new legal arguments with her reply brief. Plaintiff's certification and the redacted notice of equity award grant were appended to her reply in order to refute the incorrect assertions contained in Defendant's opposition.

Plaintiff was not expecting Defendant to insist that its severance plan was the source of Plaintiff's incentive-based equity awards; Actavis is the corporate defendant in this matter and is presumed to be familiar with its own policies. Plaintiff's certification merely confirms that which is stated in her initial papers – her stock awards are not related to any ERISA plan of Defendant's, and were awarded in accordance with a separate performance-based awards program. Defendant's insistence that the severance plan is the central document in dispute, despite information in its possession to the contrary, is also the basis for Plaintiff's argument regarding fees, to which the unpublished decision appended as Exhibit C supports.

Thank you for Your Honor's courtesies and consideration in this matter.

Respectfully,

/s/ Arthur L. Raynes

Arthur L. Raynes

cc: Shaira Sithian, Esq. (via ECF)
Stephen L. Berry, Esq. (via ECF)